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May 10, 2023

FILED BY ECF

Hon. Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: SEC v. Xia, et al., No. 21-cv-05350-PKC-RER

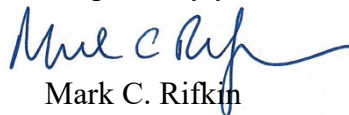
Dear Judge Chen:

We write at the request of Mark Silber of Vecta Capital LLC regarding the settlement conference presently scheduled for 3:30 p.m. on Friday, May 12, 2023, by the Court's April 24, 2023, Supplemental Scheduling Order.

Mr. Silber has just asked us to request Your Honor to begin the settlement conference earlier in the day on Friday May 12th. Mr. Silber observes the Sabbath and must be home in Rockland County well before sundown. We have advised counsel for the SEC of the request. We understand their position that Mr. Silber's presence at the settlement conference is unnecessary, but if the Court expects him to attend and answer questions regarding the proposed financing of a potential settlement, we make this request on his behalf. In addition, we note that starting earlier will give the parties more time to try to bridge the gap between their respective settlement positions.

Thank you again for Your Honor's continuing consideration. We appreciate any accommodation the Court may make for Mr. Silber's religious observance.

Respectfully yours,



Mark C. Rifkin
For the Firm

cc: All Counsel (via ECF)